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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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William G. Sample

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EXAMINER

CONTEE, JOY KIMBERLY

ART UNIT

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2617

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/902,968	Applicant(s) SAMPLE, WILLIAM G.	
	Examiner JOY K. CONTEE	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1,3-37 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, and 3-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Briffe and Henderson, previously used, in view of Henderson, US 4,212,067.

Regarding claims 1, 5, 10, 16, 22, 26, 32, 36 and 37, Briffe and Henderson discloses a device, comprising: a database of radio frequency information (i.e., reads on instrument landing system- ILS or microwave landing system- MLS frequency information) stored as a function of radio frequency (col. 5,lines 34-41 and col. 10,lines 57-62); and a circuit (i.e., reads on module in modular avionics units-MAU containing a processor functioning as a flight management system computer) coupled to the database and operating one or more algorithms (i.e., approaches and inherently software programs) for accessing the database as a function of an input radio frequency signal and generating a display signal as a function of an input radio

frequency signal (col. 6, line 45 to col. 7, line 4 or col. 9, lines 12-20 and col. 10, lines 44-64 and col. 11, lines 25-27).

Briffe and Henderson fail to explicitly disclose generating a display signal as a function of an input radio frequency signal and a position signal.

In a similar field of endeavor, Henderson discloses generating a display signal as a function of an input radio frequency signal and a position signal (col. 2, lines 28-34 and col. 2, lines 50-62).

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify Briffe and Henderson to include input radio frequency signal and a position signal for the purpose of displaying a visible signal indicative of the receiver location for navigation information (see Henderson col. 2, lines 50-62).

Regarding claim 3, Briffe and Henderson discloses the device of claim 2, further comprising a display coupled to the circuit, the display structured to receive the display signal and display the radio frequency information (col. 6, line 45 to col. 7, line 4 or col. 9, lines 12-20 and col. 11, lines 25-27).

Regarding claim 4, Briffe and Henderson and Henderson discloses the device of claim 2 wherein the circuit (i.e., MAU) is a processor (col. 5, lines 25-33).

Regarding claim 6, Briffe and Henderson discloses the device of claim 5 wherein the one or more algorithms (i.e., reads on approaches using navigation aids GPS, ILS or MLS for example) operated by the processor (MAU) access the database as a function of an input radio frequency (i.e., radio frequency is either manually entered or

automatically entered) signal and a position signal (i.e., input automatically by GPS signals) (see Henderson, col. 2, lines 28-34 and col. 2, lines 50-62).

Regarding claim 7, Briffe and Henderson discloses the device of claim 6 wherein the one or more algorithms operated by the processor retrieve from the database {a portion of} the radio frequency information corresponding to an input radio frequency signal and inherently a position signal (col. 9, lines 15-20).

Regarding claim 8, Briffe and Henderson discloses the device of claim 7, further comprising a display coupled to the processor for receiving the display signal and generating a display as a function thereof (col. 11, lines 25-27).

Regarding claim 9, Briffe and Henderson discloses the device of claim 8, further comprising a control device structured to input a radio frequency to one of the processor and the display (col. 6, line 45 to col. 7, line 4 or col. 9, lines 12-20 and col. 10, lines 44-64 and col. 11, lines 25-27).

Regarding claim 11, Briffe and Henderson and Henderson discloses the device of claim 10 wherein the processor further operates one or more algorithms for generating a display signal indicative of {the portion of} the retrieved radio frequency information (col. 6, line 45 to col. 7, line 4 or col. 9, lines 12-20 and col. 11, lines 25-27).

Regarding claim 12, Briffe and Henderson discloses the device of claim 11, further comprising a display coupled to receive the display signal (col. 6, line 63 to col. 7, line 4).

Regarding claim 13, Briffe and Henderson discloses the device of claim 11, further comprising a control device (i.e., keyboard or other user control) coupled to the

first input of the processor and structured to input a radio frequency to the processor (i.e., inherently the flight deck's MAU is coupled to the pedestal) (col. 4, line 48 to col. 5, line 4 and col. 6, line 66 to col. 7, line 4).

Regarding claim 14, Briffe and Henderson discloses the device of claim 11, further comprising a control device coupled to the first input of the processor and structured to input a radio frequency to the display (col. 4, line 48 to col. 5, line 4 and col. 6, line 66 to col. 7, line 4).

Regarding claim 15, Briffe and Henderson discloses the device of claim 11 wherein the second input (i.e., GPS navigational sensor in instrument panel) of the processor is structured to receive an output signal of a global positioning system that is indicative of position (see Henderson, col. 2, lines 28-34 and col. 2, lines 50-62).

Regarding claim 17, Briffe and Henderson discloses the device of claim 16 wherein the means for storing radio frequency information includes means for storing the radio frequency information in a look-up table (i.e., reads on data base) (col. 10, lines 44-63).

Regarding claim 18, Briffe and Henderson discloses the device of claim 17 wherein the accessing means includes a means for operating one or more algorithms (i.e., reads on ILS approach) for retrieving the radio frequency information from a look-up table (database) (col. 9, lines 15-20 and col. 10, lines 57-63).

Regarding claim 19, Briffe and Henderson and Henderson discloses the device of claim 16, further including receiving means (i.e. reads on processor MAU), coupled

to the output signal generating means, for receiving the output signal (col. 6, line 45 to col. 7, line 4 or col. 9, lines 12-20 and col. 11, lines 25-27).

Regarding claim 20, Briffe and Henderson discloses the device of claim 19, further including displaying means, coupled to the output signal receiving means, for displaying the accessed radio frequency information (col. 6, line 45 to col. 7, line 4 or col. 9, lines 12-20 and col. 11, lines 25-27).

Regarding claim 21, Briffe and Henderson discloses the device of claim 16, further including signal inputting means, coupled to the output signal accessing means, for inputting a radio frequency signal (col.9, lines 12-20).

Regarding claim 23, Briffe and Henderson discloses the device of claim 22 wherein the processor means for retrieving {a portion of} the radio frequency information further includes processor means for operating one or more algorithms for retrieving a portion of the radio frequency information (col. 6, line 45 to col. 7, line 4 or col. 9, lines 12-20 and col. 11, lines 25-27).

Regarding claim 24, Briffe and Henderson discloses the device of claim 23 wherein the processor means further includes signal generating means for generating a signal indicative of { the portion of} the radio frequency information retrieved by the processor means (col. 7, lines 1-4 and col. 11, lines 24-27).

Regarding claim 25, Briffe and Henderson discloses the device of claim 24, further comprising display means, coupled to the processor means, for receiving the signal indicative of {the portion of} the radio frequency information and displaying the

{portion of} the radio frequency information (col. 6, line 45 to col. 7, line 4 or col. 9, lines 12-20 and col. 11, lines 25-27).

Regarding claim 27, Briffe and Henderson discloses the method of claim 26 wherein the storing radio frequency information includes storing the radio frequency information in a look-up table (i.e., reads on database) (col. 10, lines 57-63).

Regarding claim 28, Briffe and Henderson discloses the method of claim 27 wherein the accessing the stored radio frequency information includes operating one or more algorithms (i.e., reads on approaches to navigational aids, e.g., GPS and ILS) for retrieving the radio frequency information from a look-up table (database) (col. 10, lines 57-63).

Regarding claim 29, Briffe and Henderson discloses the method of claim 26, further including receiving the output signal the output signal and displaying the accessed radio frequency information (col. 11, lines 24-27).

Regarding claim 30, Briffe and Henderson discloses the method of claim 26, further including inputting a radio frequency signal for use in the accessing the stored radio frequency information (col. 7, lines 1-4).

Regarding claim 31, Briffe and Henderson further discloses the method of claim 30, further including inputting a position signal for use in the accessing the stored radio frequency information (col. 6, lines 28-49).

Regarding claim 33, Briffe and Henderson discloses the method of claim 32 wherein the retrieving of {a portion of} the radio frequency information further includes

operating one or more algorithms for retrieving {a portion} of the radio frequency information (col. 9,lines 15-20).

Regarding claim 34, Briffe and Henderson discloses the method of claim 33, further including generating a signal (i.e., displaying) indicative of {the portion of} the retrieved portion of the radio frequency information (col. 9,lines 13-20).

Regarding claim 35, Briffe and Henderson discloses the method of claim 34, receiving the signal indicative of the retrieved {portion of} the radio frequency information and displaying the retrieved {portion of the} radio frequency information (col. 9,lines 13-20).

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOY K. CONTEE whose telephone number is (571)272-7906. The examiner can normally be reached on Monday through Friday, 5:30 a.m. to 2:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571.272.7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JC

/Charles N. Appiah/
Supervisory Patent Examiner, Art Unit 2617